UNITED NATIONS

General Assembly

FORTY-SEVENTH SESSION

Official Records

THIRD COMMITTEE
54th meeting
held on
Wednesday, 2 December 1992
at 3 p.m.
New York

SUMMARY RECORD OF THE 54th MEETING

Chairman:	Mr. KRENKEL	(Austria)
later:	Mr. DEKANY (Vice-Chairman)	(Hungary)
later:	Mr. KRENKEL	(Austria)

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92-58108 6545S (E)

Distr. GENERAL
A/C.3/47/SR.54
22 December 1992
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 97: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/47/24 and Add.1, A/47/353, A/47/434, A/47/445, A/47/479, A/47/501, A/47/502, A/47/503, A/47/504, A/47/552, A/47/626, A/47/630, A/47/668, and Add.1, A/47/701, A/47/702; A/C.3/47/L.49)

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AGENDA ITEM 149: THE SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued) (A/47/247; A/C.3/47/9)

1. Mr. CASTANEDA (El Salvador) recalled that the Charter of the United Nations and the International Covenant on Human Rights were inspired by "Faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small". It was through those instruments that States had accepted for the first time in history to apply certain standards with respect to the treatment of their citizens and had undertaken to guarantee the inalienable rights of the individual. It was from those agreements that numerous more specific agreements were born, including those making it possible for individuals to report violations of their human rights to the United Nations. Moreover, the principles set out in those instruments had been incorporated in the national laws of a large number of countries. Unfortunately, all too often human rights were not being respected, even by States which as parties to international human rights treaties, had undertaken to cooperate under the mechanisms set up to ensure the effective enjoyment of those rights.

2. As defence of human rights was a sine qua non for development as well as international peace and security, seeing to that work rightfully called for the authority of the international community, in particular the United Nations, which had the task not only of putting an end to existing violations but also of closely monitoring situations which could give rise to new violations.

3. Given the fact that protection of human rights was both an end in itself and a precondition for peace and stability, organs set up to monitor the exercise of those rights ought to be able to take measures they deemed appropriate to the execution of their mandate without obstacles being placed in their path, so long as all political biases and selectivity were avoided.

(Mr. Castaneda, El Salvador)

4. As the Secretary-General had said in his Agenda for peace, "we have entered a time of global transition marked by uniquely contradictory trends". Despite the emergence of a new order, peace, stability and security were threatened by a whole series of factors which were jeopardizing the effective enjoyment of human rights - racial confrontation; deterioration of the environment; increasing instances of poverty, hunger and disease; despair, injustice, and oppression; increasing numbers of refugees and displaced persons; and ethnic, religious, social or political conflict - hence the need to respect the principles of democracy at all levels and to create a "human rights culture", as the Secretary-General had said in his report on the work of the Organization. In that context, economic, financial and technical cooperation were becoming particularly important in eliminating the structural causes of conflict and the tensions that led to violations of human rights and fundamental freedoms.

5. Though including an item on the agenda of the General Assembly relating to the situation in El Salvador could be an example of selectivity and politicization of the issue, nevertheless El Salvador had always cooperated with the Commission on Human Rights and with the Commission's Independent Expert in particular.

6. By signing the Chapultepec (Mexico) Peace Agreement of 16 January 1992 which had put an end to the armed conflict, El Salvador had proven its commitment to peace and had contributed to the establishment of a climate conducive to respect for human rights. Reinforcing peace was a task to which all Salvadorians should devote themselves in a spirit of national reconciliation and in accordance with the new democratic reality. For its part the Government was doing everything it could to respect its commitments; all the measures provided for under the Agreement would be implemented in advance of the deadline of 15 December 1992.

7. The peace process implied that all parties should respect the Agreement, renounce violence and identify themselves with the democratic process. It was essential that the Frente Farabundo Martí para la Liberación Nacional (FMLN) should dismantle its military structure and become a political party like any other. As soon as the United Nations Observer Mission in El Salvador (ONUSAL) could certify that the FMLN had completely disarmed, the Supreme Electoral Tribunal could register it as a political party.

8. The setting up of institutions envisaged under the peace agreements, such as a national civilian police and a National Procurator's Office responsible for the protection of human rights, was a major step forward. His Government attached high priority to the strengthening of institutions called upon to ensure respect of all human rights, and was grateful to the countries which provided it with assistance to that end. The reform of the judicial system was well under way and difficulties still outstanding would surely be overcome.

(Mr. Castaneda, El Salvador)

9. International assistance was essential to the successful accomplishment of the peace process and the establishment of democracy. As the Independent Expert had pointed out, the implementation of certain agreements presupposed the availability of resources which, in the short term, could only come from international cooperation. Unfortunately, such cooperation had not reached the level that might legitimately have been expected.

10. Bearing in mind the objectives of the United Nations in the human rights field and the immensity of the task to be accomplished, his delegation welcomed the decision to hold at Vienna in 1993 a World Conference on Human Rights which would undoubtedly contribute towards those objectives' attainment.

11. Miss AL KHALID (Kuwait) said that the question of human rights was of capital importance. The value which a country attached to the human person was measured by the degree of its implementation of those rights.

12. Although the Charter of the United Nations proclaimed the promotion of human rights and fundamental freedoms as one of its essential objectives, and despite the tireless efforts of the United Nations and its specialized agencies to ensure the implementation of the relevant international instruments, it had to be recognized that many peoples were still victims of numerous violations of their rights, particularly in regions torn by armed conflict. In some parts of the world, millions of human beings continued to struggle, sometimes at the cost of their lives, against oppression, occupation, exploitation and discriminatory measures of all kinds.

13. Her delegation was deeply distressed by the situation in Somalia, where millions of people were in danger of starving to death and where the fate of an entire nation was being decided by a handful of individuals. It also deplored the tragic situation of the Palestinian people suffering under the occupier's yoke, as well as that of the former Yugoslavia, where the Serbian forces, and especially the proponents of the policy of ethnic cleansing, were committing atrocities against the population of Bosnia and Herzegovina. In that connection, her delegation wished to express its lively concern at the grave human rights violations to which the Muslims of the former Yugoslavia were being subjected, and welcomed the adoption by the Commission on Human Rights at Geneva on 1 December 1992 of a resolution vigorously denouncing the violations committed in the territory of the former Yugoslavia and emphasizing that the Muslims, who were the principal victims of the genocidal policy practised in that part of the world, were under threat of extermination.

14. Her delegation also looked forward with great interest to the World Conference on Human Rights scheduled to be held in 1993 and hoped that the Conference would provide the occasion to settle the problems arising in connection with the effective implementation of international human rights instruments.

(Miss Al Khalid, Kuwait)

15. Kuwait, for its part, continued to suffer from the consequences of the cowardly Iraqi aggression. Kuwaiti prisoners of war and other Kuwaiti nationals detained in Iraq had still not been released, the Baghdad regime refusing to comply with the relevant international resolutions and, in particular, with paragraph 30 of Security Council resolution 687, by virtue of which Iraq was to extend all necessary cooperation to the International Committee of the Red Cross (ICRC) by providing lists of prisoners and detained persons, facilitating the access of ICRC to all such persons wherever located and facilitating the search for those Kuwaiti and third country nationals still unaccounted for. Iraq had failed to fulfil any of those obligations. The Iraqi authorities were preventing ICRC from visiting Kuwaiti prisoners of war and detainees under the conditions required. They were imposing restrictions upon ICRC, resorting to dilatory manoeuvres to prevent thorough inspections of prisons and detention centres, and refusing to communicate information on prisoners of war and detainees who had disappeared or died, so that it was impossible to ascertain the precise number of individuals imprisoned or detained in Iraqi territory.

16. The problem of prisoners of war, detainees and persons who had disappeared affected a very large number of Kuwaiti families. Her country had the more cause for concern about the fate of its nationals detained in Iraq as the Baghdad regime was subjecting its own people to increasingly serious human rights violations, as the Special Rapporteur in charge of investigating the situation in that country had indicated in his report submitted to the Security Council on 22 November 1992. Her delegation therefore urged the international community to exert pressure on Iraq to comply fully with all the relevant United Nations resolutions. In conclusion, she thanked ICRC for its efforts and said that her Government was resolved to continue its collaboration with the regional office of that body.

17. Mr. Dekany (Hungary), Vice-Chairman, took the Chair.

18. Mr. SERGIWA (Libyan Arab Jamahiriya) said that the international community attached great importance to human rights because respect for those rights was an essential condition for the establishment of genuinely democratic political systems, for the maintenance of international peace and security and for the strengthening of cooperation among peoples. For that reason the United Nations had from its inception sought to promote respect for human rights and fundamental freedoms in its Charter and in the Universal Declaration of Human Rights. In addition, the many international human rights instruments which had been adopted had made it possible to establish a large number of norms, criteria and rules applicable in that area.

19. Despite all those efforts, the goals set were still far from being attained. Violations of human rights, on both an individual and a collective basis, had not ended; many peoples continued to live under colonialist and racist regimes; refugee flows continued to grow; and many developing countries

(Mr. Sergiwa, Libyan Arab Jamahiriya)

faced severe economic difficulties because of deficient international economic structures and were thus prevented from exercising their inalienable right to development.

20. Although there was general recognition of those shortcomings, there was no consensus either on ways of remedying them or on the priorities to be set in respect of human rights. The Commission on Human Rights, which had been entrusted with ensuring the implementation of those rights and whose role his country appreciated greatly was unable to perform its mandate fully because of the selective policies pursued by certain States which sought to exploit the noble cause of human rights for their own ends and denounced violations only when they considered it useful to do so. It was for that reason that the special session called for by the Arab Group at Geneva, which would have been devoted to the deteriorating human rights situation in the occupied Palestinian territories, had not taken place owing to the opposition of certain Commission members.

21. His delegation stressed that if the question of human rights was to remain a strictly humanitarian one, it must be dealt with in a non-selective, neutral and objective manner and must not be used as a pretext for putting political pressure on countries in order to make them change their political, economic and social system, or to legitimize acts of interference in the internal affairs of States. In that connection, his delegation hoped that the World Conference on Human Rights, to be held in 1993, would examine the ambivalent and selective nature of certain criteria applied to human rights and would endeavour to elaborate uniform criteria to which all States could refer.

22. His country wished to stress that there could be no effective exercise of civil and political rights without the protection and promotion of economic, social and cultural rights, that the right to economic and social development was inseparable from other rights and that those fundamental principles should be duly taken into account by the World Conference on Human Rights.

23. His country had always attached great importance to the implementation of human rights, since it was convinced that respect for human dignity was the primary condition for the progress of peoples. Thus, in The Green Document on Human Rights which it had had circulated as a document of the General Assembly in 1989, it had reaffirmed a number of fundamental rights, such as, inter alia, freedom of movement and residence, the rights to work, to citizenship, to own property, to education, to housing and to health, freedom of opinion and the right to participate freely in political life. In addition, his country had taken a number of legislative steps, such as, the enactment in 1989 of a law on the strengthening of freedoms, designed to ensure the implementation of those provisions. His country had also acceded to and subsequently ratified a large number of international human rights instruments, and had created the Qaddafi International Prize for Human Rights.

(Mr. Sergiwa, Libyan Arab Jamahiriya)

24. His country was a member of the United Nations Commission on Human Rights and participated actively in its work. It would continue to support the human rights action taken by the international community through the United Nations and its specialized organs.

25. His country nevertheless remained subject to an air embargo, established pursuant to Security Council resolution 748 (1992), which had had disastrous economic and social consequences, particularly for Libya's most vulnerable population groups, such as women, children, the disabled and the elderly. The embargo was depriving those groups of their fundamental right to decent living conditions.

26. His delegation was convinced that the United Nations, which was committed to guaranteeing the right to development of all nations, large and small, could not ignore the negative impact of that embargo on the enjoyment of the most elementary humanitarian rights and would therefore agree that those sanctions should be lifted through a Security Council resolution.

27. His delegation hoped that the text of the Declaration, contained in document A/C.3/47/7, adopted by participants in the African regional preparatory meeting for the World Conference on Human Rights, held at Tunis from 2 to 6 November 1992, preparation would be included among the official documents of the Conference. It also hoped that when they came to consider obstacles to the implementation of human rights and fundamental freedoms, participants in the World Conference on Human Rights would examine the question of the numerous individual and collective violations suffered by the peoples of Palestine, the occupied Arab territories and South Africa.

28. In conclusion, he hoped that the results of the World Conference on Human Rights would help ensure the more effective exercise of human rights and enhance the application of international human rights instruments. The United Nations Centre for Human Rights had an important role to play in that area and should be provided with the resources it needed to discharge its mandate to the full.

29. Mr. Krenkel (Austria) resumed the Chair.

30. Mr. HIDALGO BASULTO (Cuba), speaking on agenda item 97 (c) and on draft resolution A/C.3/47/L.48, which he would introduce in the course of his statement, deplored the fact that the United Nations had failed to consider human rights questions in a constructive manner on the basis of genuine international cooperation and had consequently jeopardized the outcome of the World Conference on Human Rights to be held in 1993. That failure had the same origins as the failure of the Organization's efforts in the economic, social and humanitarian fields. Taking advantage of their privileged position, certain developed countries were diverting the Organization from the goals assigned to it by the Charter, by increasingly distorting the idea of

(Mr. Hidalgo Basulto, Cuba)

international cooperation to serve selfish interests and using human rights questions as a new weapon of domination. Although they had no moral authority to do so, they had set themselves up as righters of wrongs, giving lessons to the rest of mankind, which at the same time they oppressed and accused of all manner of sins. The group of countries concerned condemned human rights violations only when they occurred in the developing countries. The line dividing the just from the rest, which used to run between East and West, now ran between North and South, between the nations which had grown rich and those which had been plundered.

31. On the pretext of ensuring respect for human rights, those countries sought to impose on the underdeveloped countries institutions and models that would foster their own hegemony, without regard for indigenous values. Whom did they think they were fooling? Everyone knew that those countries which set themselves up as judges were continually trampling fundamental freedoms underfoot. Everyone knew how adept they were at suppressing any issue - or blowing it up out of all proportion - to suit their own interests.

32. After being overshadowed for a time by the strategic concerns of the cold war, the ideologies behind which the colonialists concealed their thirst for power were now re-emerging to enslave the peoples of the South.

33. Against that background, there was every reason to fear that the World Conference on Human Rights would damage the cause it was intended to promote. The Members of the United Nations must ensure that the protection of human rights did not serve as a pretext for political manipulation totally alien to the purposes and principles of the Charter. The countries of the South were in the majority and, if they joined forces, could help the Organization to escape from the impasse to which irresponsible manoeuvring had brought it.

34. The repeated references to the question of human rights in his country showed only too well how the human rights issue could be manipulated to serve political interests, in the present case those of the United States Government. Since the 1960s, successive United States Governments had sought to create a political opposition in his country to serve as a base for imposing on the Cuban people a regime loyal to Washington. When those efforts had failed, the United States Government had decided to conceal its true intentions beneath the more dignified cloak of human rights protection. That expedient had the twin advantage of ensuring the support of the handful of allies in its pay and securing international acceptance for an immoral and illegal policy. Not content with shamefully manipulating the United Nations, the United States was prepared to go to any lengths to achieve its ends, including radio propaganda, subversion and strengthening the blockade to strangle the country's economy and isolate it politically and diplomatically. The aim of the United States was to create a situation where shortages would prompt the small group on whose support it relied to rally others to the cause in order to seize power, in a move which would benefit Washington.

(Mr. Hidalgo Basulto, Cuba)

35. Legitimate concern for human rights could scarcely be the motive, for was it not true that American society itself deprived millions of citizens of their fundamental rights?

36. For several years the United States Government had been doing everything in its power to induce the Commission on Human Rights to examine the question of human rights in his country. In 1988 a mission from the Commission had visited Cuba at the invitation of his Government and established that the systematic human rights violations of which his country was accused were just a myth. That did not prevent the United States Government from continuing to bring pressure to bear on the Commission, despite the good will always shown by his country and which the Secretary-General had highlighted in his 1991 report to the Commission. That situation had prompted a group of Latin American non-aligned countries to submit to the Commission an impartial and balanced draft resolution genuinely seeking to promote the cause of human rights and perfectly acceptable to his Government. However, the United States had succeeded in distorting the spirit of the resolution by means of an amendment providing for the appointment of a special representative for human rights, a move which bracketed Cuba with countries such as South Africa and Israel, well known for their systematic flouting of human rights.

37. His delegation was able to show that the report submitted in 1992 by the Special Representative was riddled with errors and fabrications. Not only did it contain no evidence of systematic human rights violations, but it called into question the constitutional and legal framework democratically chosen by the Cuban people.

38. By using the report of the Special Representative as a pretext and resorting to its usual methods of blackmail, the United States managed to secure adoption of a resolution providing for a procedure even more exceptional and unwarranted than the previous one, namely, the appointment of a special rapporteur, a procedure which, as everyone knew, was applied only in cases of persistent and systematic human rights violations. The irregularity of the procedure was evidenced by the refusal of the Special Representative to undertake the functions of a special rapporteur. In the face of that unexpected obstacle, the United States had asked the Legal Counsel to provide an interpretation in keeping with its desired ends. His Government, moreover, had irrefutable evidence that the Permanent Representative of the United States to the United Nations had provided the Secretariat with a list of candidates for the post of special rapporteur approved by his Government. The goal of all the manoeuvering was to secure the adoption by the Commission and by the Economic and Social Council of a resolution whose tangible outcome was the interim report now before the Third Committee. The sole aim of that report was to provide the Bush Administration with the pretext it sought to submit a draft resolution that it had prepared in advance.

39. If it were to adopt that resolution, the General Assembly would be legitimizing the interference by the United States, in flagrant breach of the

(Mr. Hidalgo Basulto, Cuba)

noble principles which the Organization was required to uphold, and would set a very dangerous precedent.

40. As for the interim report of the Special Rapporteur, it did no more than cite specific cases identified by organizations in the pay of the United States and failed to mention the information provided to Geneva by impartial non-governmental organizations. It made no mention, with good reason, of practices such as political assassination, enforced disappearances and torture, which had not occurred in his country since the revolution but which were still commonplace in other parts of the world. In addition, it called in question the constitutional and legal order in his country, which was a matter solely for the sovereign decision of the Cuban people.

41. The report had referred to the international climate hostile to Cuba, which had allegedly been used as an excuse for internal repression. However, it had forgotten to note that the driving force behind such hostility was the 30-year-old blockade imposed by the United States of America in flagrant violation of the fundamental rights of an entire people.

42. He reiterated that his Government was committed to cooperating, as it had always done, with the Commission on Human Rights. It was in that spirit that his delegation had submitted draft resolution A/C.3/47/L.48 entitled "Cooperation of the Government of Cuba with the Commission on Human Rights in accordance with resolutions 728 F (XXVIII) and 1503 (XLVIII) of the Economic and Social Council and the thematic procedures established by the Commission". By adopting the draft resolution, the General Assembly would render justice to Cuba and genuinely contribute to promoting the respect for human rights.

43. Mr. NASSIROV (Azerbaijan) said that the collapse of the bipolar world had led to the establishment of new States which had embarked upon policies of democracy and respect for human rights. Such was the case of Azerbaijan, which had recovered its independence a year previously following the disintegration of the Soviet Union. It had immediately become a party to international agreements on human rights and to the Convention on the Rights of the Child. Indeed, Azerbaijan was determined to carve out a place for itself in the community of democratic countries.

44. His delegation attached great importance to the World Conference on Human Rights which would provide an opportunity to define fresh objectives in that area. Progress had undoubtedly been made with regard to the protection of and respect for human rights. Monitoring mechanisms had been set up, international institutions had been established, the list of States that were parties to basic human rights instruments had become longer, the cold war had ended and the collapse of totalitarian regimes had spawned new States which were prepared to take a fresher look at old problems. On the other hand, the birth of those new States had created new situations and, in particular, friction between ethnic groups that had sparked off new hotbeds of tension and

(Mr. Nassirov, Azerbaijan)

had consequently led to massive human rights violations. Unfortunately, the United Nations had not been equal to the situation, nor had it been able to take appropriate measures to address those problems. There had therefore been an upsurge of ethnic intolerance encouraged by the fact that the aggressors had gone unpunished. The international community should have learned from bitter experience in the past in that regard that the underlying causes of such problems should be tackled before they degenerated into conflicts.

45. The first ethnic conflict in the territory of the former Soviet Union had been sparked by Armenia, which had tried to expand its territory at the expense of Azerbaijan. As a result of the apathy of the international community, a number of conflicts had broken out which had led to violations of human rights, particularly the most crucial right of all, the right to life. On the pretext of protecting the rights of the Armenian populations of Upper Karabakh where such populations lived side by side with other ethnic groups and enjoyed complete freedom, Armenia, practising a policy of ethnic cleansing, had driven out 200,000 Azerbaijanis, thus depriving them of the rights enshrined in the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities that the Third Committee was about to adopt. The fact that Armenia was a sponsor of the draft resolution containing that declaration gave some grounds for hope that Armenia would reconsider its policy and allow Azerbaijanis to return to their homes, thus putting an end to the conflict.

46. Mr. NIETO (Argentina) said that his Government was expecting a lot from the World Conference on Human Rights to be held at Vienna in 1993. That Conference would provide a good opportunity not only for assessing the action of United Nations bodies responsible for promoting and protecting human rights but also for considering the obstacles in that area and means of overcoming them. In that regard, his delegation felt that the draft agenda for the Conference before the Third Committee was a good working basis. The discussions of the Conference should be free of political considerations and take into account the fact that the serious human rights violations currently occurring in the world were sparked by ethnic, religious, economic and social problems.

47. Aware that the opportunity represented by the Vienna Conference should not be wasted as a result of a fresh round of rhetorical debates on how important certain rights were as compared to others, the Government of Argentina had been one of the first to sponsor draft resolution A/C.3/47/L.18 on the agenda of the Conference and prepared by the Moroccan delegation, which it hoped would be adopted without a vote.

48. None of the post-cold-war conflicts currently raging in the world could be considered in isolation from issues relating to democracy, human rights and sustainable development. Therefore, in order to build a solid future, efforts must be made to adopt a global approach to the analysis of current crises. Moreover, the Secretary-General had recommended such an approach in chapter VI of "An Agenda for Peace" devoted to post-conflict peace-building.

(Mr. Nieto, Argentina)

49. As far as the electoral assistance activities of the United Nations were concerned, his delegation felt that they should be unreservedly supported and that the mechanisms established in that area should be improved. His delegation welcomed, in that regard, the creation of the Electoral Assistance Unit in accordance with General Assembly resolution 46/137 and the submission, by the Secretary-General, of his report on Enhancing the effectiveness of the principle of periodic and genuine elections (A/47/668 and Add.1) which gave the background to the question of electoral assistance and analysed in detail the activities carried out and options available to Member States in that area.

50. Providing the United Nations with machinery that could help Member States plan, organize and hold elections was an excellent means of promoting respect for the principles enshrined in the Charter. Requests by Member States for electoral assistance should be promptly addressed by the appropriate United Nations bodies, taking into account the urgency of the specific circumstances that gave rise to them. His delegation hoped that the Secretariat departments responsible for replying to requests for electoral assistance would be provided with the resources they needed to accomplish their tasks.

51. In conclusion, he underscored the importance the Argentine Government attached to the work of the Commission on Human Rights. The two draft declarations before the Third Committee, on enforced or involuntary disappearances and on minorities, were tangible proof of the importance attached by the Committee to those issues. His delegation hoped that the drafts would be adopted by the General Assembly at the current session, thereby making it possible to extend the scope of the international human rights instruments and enhance their effectiveness.

52. Mrs. MIRBAHA (Islamic Republic of Iran) said that the decision taken by the Commission on Human Rights at its forty-eighth session, in resolution 1992/67, to request the Special Representative to submit an interim report to the General Assembly at its forty-seventh session on the human rights situation in the Islamic Republic of Iran was unjustified. Although the interim report submitted by the Special Representative to the forty-eighth session of the Commission in March 1992 had concluded that there had been no appreciable progress towards improved compliance with human rights, it had not noted any deterioration in the human rights situation. Furthermore - and the Iranian delegation had already discussed the matter in the Commission on Human Rights - that conclusion was contradictory in so far as the report of the Special Representative had described marked and verifiable progress in the promotion and protection of human rights in Iran and had noted that many of the Special Representative's recommendations had been fully or partially implemented or were on the point of being so. In other words, in adopting the resolution, the States members of the Commission had allowed political considerations to prevail to the detriment of the principle of impartiality.

53. Accordingly, and in view of the misinformation campaign being waged against her country, it was necessary to present another picture of Iranian

(Mrs. Mirbaha, Islamic Republic of Iran)

institutions and politics. The Islamic Republic of Iran had been established by referendum, and its Constitution had been the subject of public debate before its adoption, also by a democratic vote. Furthermore, 15 national elections had been held in the country during the previous 14 years, even during the 8 years of war with Iraq - an achievement of which not even the oldest democracies had always been capable, given that they had occasionally dissolved their parliaments, suspended elections or declared states of emergency under identical circumstances. The Iranian press and Parliament also played an extremely active role and enjoyed total freedom to criticize government policies.

54. With regard to the the Special Representative's interim report to the General Assembly on the situation of human rights in the Islamic Republic of Iran (A/47/617), it should be specifically noted that the vast majority of executions referred to in the report concerned drug traffickers. As the Islamic Republic of Iran was located between the drug-producing and drug-consuming countries, drug trafficking had assumed major proportions and created serious economic and social problems. In order to prevent those problems from becoming catastrophic, the country was obliged to punish trafficking. Under those circumstances, the execution of drug traffickers should not be considered a violation of individual rights but rather a means of protecting the fundamental rights of the Iranian population. With regard to the few other cases in which capital punishment had been carried out, she emphasized that no one had been sentenced to death for political activities; moveover, the grounds for convictions were always outlined in the courts' verdicts. Also, the rights of the accused were observed, and convictions were only handed down after the verdict was endorsed by the Supreme Court. All accused persons, whoever they might be, were fully protected by the law from the moment of their arrest to the time of their acquittal or conviction, and failure to comply with due legal process was punished. Several bodies set up by the Iranian judiciary were in fact responsible for ensuring that the judicial system operated properly.

55. With regard to the chapter of the report on the situation of women in the Islamic Republic of Iran, she emphasized that Iranian women played an active role in the country's economic and social life and that the Iranian Government continued to do everything possible to increase the number of women in managerial positions. The literacy rate among women had increased markedly during the period 1979-1989, as evidenced by the fact that more than one third of secondary and higher education diplomas were awarded to women. Women also took an active part in national scientific, technical and educational life and were particularly numerous in the Ministry of Education and the Ministry of Health and Medical Education. Lastly, where politics were concerned, it should be noted that there were currently nine women serving in the current Iranian Parliament, in comparison with four in previous terms.

56. The Islamic Republic of Iran had complied during the past six months with the recommendations contained in the report of the Special Representative, by

(Mrs. Mirbaha, Islamic Republic of Iran)

granting clemency to a large number of prisoners or by drastically reducing their sentences. Furthermore, the right of prisoners to counsel had been applied more vigorously and jury trials had been established for some prisoners. In addition, the Government had convened a number of seminars on human rights, including a training seminar held in August 1992 in cooperation with the United Nations Centre for Human Rights. Lastly, the Islamic Republic of Iran had submitted its second periodic report to the Human Rights Committee at its previous session and had replied to the memorandum addressed to it by the Special Representative on 25 September 1992. The fact that the Islamic Republic of Iran had, despite all difficulties, replied within such a short time was a clear indication of its desire to continue to cooperate with the Commission on Human Rights.

57. She reiterated her view that the decision of the Commission on Human Rights that the item on the situation of human rights in the Islamic Republic of Iran should again revert to the General Assembly was unjustified, since the interim report of the Special Representative to the Commission had not portrayed any deterioration in that situation.

58. Mr. ALI (Iraq), speaking in exercise of the right of reply, said that his delegation wished, in view of the allegations made against his country at the current session by the representative of Kuwait, to re-establish the facts. Iraq had formally denied, on several occasions, the existence in its territory of so-called detention centres where Kuwaiti prisoners were allegedly still being held. Such charges were directed solely against the Iraqi people. The Iraqi Government had cooperated with the International Committee of the Red Cross (ICRC) in the search for persons whom the Kuwaiti Government had declared to be missing. Iraq had no interest in keeping anyone in prison. Furthermore, Mr. Tariq Aziz had dealt fully with that question in the Security Council on 24 November 1992, and the representative of Iraq had also referred to it on 25 November in connection with the report of Mr. Van der Stoel, Special Rapporteur of the Commission on Human Rights. The Kuwaiti representative's attitude brought to mind an old Arab proverb about an ox which tried to smash a rock by butting it over and over again, only to break its horns in the end.

59. Ms. AL KHALID (Kuwait), replying to the representative of Iraq, recalled that the Iraqi Government had refused to accede to the repeated requests of ICRC to visit Iraqi prisons in order to examine the situation on its own terms; Iraq had insisted on imposing its own terms on ICRC. Kuwait had submitted to Iraq 70 individual dossiers on Kuwaiti prisoners of war, including 13 in October 1991, 14 on 12 and 13 April 1992, 37 on 16 and 26 April 1992, and 6 in May 1992. The only information which Iraq had agreed to provide concerned the first set of dossiers. With regard to the others, Iraq claimed to have no information. In fact, Iraq had confined itself to handing persons over to ICRC as part of a family regroupment operation. Between March and May 1992, 61 persons had arrived in Kuwait in the context of that operation. Iraq had freed 20 political detainees and prisoners overall,

(Ms. Al Khalid, Kuwait)

including 18 Kuwaitis, 1 Iranian and 1 Somali. On the other hand, Iraq refused to provide ICRC with information on the detention centres existing in its territory, which was in utter violation of the agreements concluded at Geneva in 1991 between Iraq and the allied countries.

Draft resolutions A/C.3/47/L.58, L.59, L.60, L.61, L.62, L.63 and L.64

Draft resolution A/C.3/47/L.58

60. Mr. SHARP (Australia) introduced, on behalf of the sponsors, to which Italy and New Zealand had been added, draft resolution A/C.3/47/L.58 on the development of public information activities in the field of human rights.

61. It was self-evident that knowledge of human rights was essential for their protection and promotion. The importance of teaching and education in that field was spelled out in the preamble to the Universal Declaration of Human Rights. Draft resolution A/C.3/47/L.58 was closely modelled on the text of resolution 45/99, adopted by the General Assembly at its forty-fifth session, and resolution 1992/38, adopted by the Commission on Human Rights at its forty-eighth session. The draft resolution took note of the report of the Secretary-General on the development of public information activities in the field of human rights and requested the Secretary-General to submit a comprehensive report to the General Assembly at its forty-ninth session.

62. The draft resolution defined the roles of the Centre for Human Rights and the Department of Public Information in the dissemination of information in the field of human rights, stressed the need for close cooperation between those bodies and between the United Nations and other organizations, including the United Nations Educational, Scientific and Cultural Organization (UNESCO) and ICRC, and requested the Secretary-General to take advantage, as much as possible, of the collaboration of non-governmental organizations for, inter alia, the dissemination of human rights materials.

63. In paragraph 14, the draft resolution requested the Commission on Human Rights, at its forty-ninth session, to consider the recommendation by the fourth meeting of persons chairing the human rights treaty bodies that an expert group, from outside the Secretariat, be appointed to review comprehensively the existing information programme in the field of human rights and to develop a new information strategy that could integrate the various needs in that area.

64. It was to be hoped that, as at previous sessions of the General Assembly, the resolution would receive unanimous support from the members of the Committee.

Draft resolution A/C.3/47/L.59

65. Mr. ANDREASSEN (Norway), introducing draft decision A/C.3/47/L.59, entitled "United Nations Voluntary Fund for Indigenous Populations", said that New Zealand had joined the sponsors.

66. In the draft decision, the General Assembly, having taken note of the report of the Secretary-General (A/47/626) on the status of the United Nations Voluntary Fund for Indigenous Populations, called upon Governments, non-governmental organizations and representatives of indigenous groups to consider contributions to the Fund and to disseminate widely information about the activities of the Fund. The General Assembly also requested the Secretary-General to report at its forty-ninth session on the status of the Fund. The sponsors of the draft decision hoped that it would be adopted by consensus.

67. Lastly, he called upon Governments, non-governmental organizations and representatives of indigenous groups to consider contributions to the voluntary fund for the International Year for the World's Indigenous People, to be launched on 10 December 1992.

Draft resolution A/C.3/47/L.60

68. Mr. BIGGAR (Ireland), introducing draft resolution A/C.3/47/L.60, entitled "Elimination of all forms of religious intolerance", said that the Bahamas, Costa Rica and Cyprus had joined the 47 sponsors.

69. In the draft resolution the General Assembly noted with alarm the occurrence of acts of violence and intolerance on the grounds of religion or belief, and reaffirmed that freedom of thought, conscience, religion and belief was a human right guaranteed to all without discrimination. The General Assembly urged States to take all appropriate measures to combat intolerance and to encourage understanding in matters relating to freedom of religion or belief. Lastly, the Assembly encouraged Governments to give consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate more effectively.

70. The text had been drafted in a constructive spirit, and the sponsors hoped that it would be adopted without a vote.

Draft resolution A/C.3/47/L.61

71. Mr. FERNANDEZ (Cuba) introduced draft resolution A/C.3/47/L.61, entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes". He noted that the text was largely based on General Assembly resolution 46/130, adopted at the previous session. The question dealt with in the draft resolution was extremely important. In the preamble the General Assembly recalled that there was no single political system or single model for electoral processes, and reaffirmed, in paragraph 4, that there was no universal need for the United

(Mr. Fernandez, Cuba)

Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization or at the request of sovereign States. Lastly, the draft resolution called upon the Commission on Human Rights to continue to review the fundamental factors that negatively affected the observance of the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes.

72. He trusted that the General Assembly would adopt the draft resolution without a vote, as it had earlier resolutions on the question.

Draft resolution A/C.3/47/L.62

73. Mr. FERNANDEZ (Cuba) introduced draft resolution A/C.3/47/L.62, entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity". He noted that the title of the draft resolution had been omitted in some language versions.

74. The text before the Committee reflected a willingness to achieve further progress in international cooperation in promoting respect for human rights and fundamental freedoms. It recalled, in the fourteenth preambular paragraph, that the legitimate concerns of the world community in that domain should be guided by the principles of non-selectivity, impartiality and objectivity. Lastly, in operative paragraph 9, the draft resolution invited Member States to consider adopting appropriate measures to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms. He hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/47/L.63

75. Mr. LAPOUGE (France) introduced draft resolution A/C.3/47/L.63, entitled "Question of enforced or involuntary disappearance", on behalf of the sponsors, who had been joined by Nicaragua, Panama and Ukraine.

76. The draft resolution, which was an updating of General Assembly resolution 46/125, adopted at the Assembly's 1992 session, included a reference to the adoption of the Declaration on the Protection of All Persons from Enforced Disappearance, and drew particular attention to cases of disappeared children and children of disappeared persons.

77. The reports of the Working Group on the question made clear the persistence of that particularly odious form of repression and the efforts made by the countries visited to put an end to enforced disappearances on their territory. The draft resolution encouraged the Governments concerned seriously to consider inviting the Working Group to visit their countries. The countries which had done so deserved the thanks of the international community.

(Mr. Lapouge, France)

78. He pointed out that the draft resolution provided for biennial consideration of the question of enforced disappearances. It would accordingly be appropriate to give even more serious attention to the Working Group's examination of the factors encouraging the adoption of those universally condemned practices. For the same reason, the Commission on Human Rights should give full attention to implementing the Working Group's recommendations.

79. He expressed the hope that the General Assembly would adopt the draft resolution by consensus.

Draft resolution A/C.3/47/L.64

80. Mr. LAPOUGE (France) introduced, on behalf of its sponsors, who had been joined by Cuba, Mongolia, New Zealand and Nicaragua, draft resolution A/C.3/47/L.64, concerning the Declaration on the Protection of All Persons from Enforced Disappearance.

81. Whatever the legal or other difficulties that text presented for them, all Member States recognized its importance. The Declaration supplemented existing international instruments and drew attention to the seriousness of enforced disappearances, which were a form of repression that combined arbitrary detention, torture, summary execution and intimidation and entailed years of pain and suffering for the families concerned. He paid a special tribute to the Subcommission on the Prevention of Discrimination and the Protection of Minorities and to the five experts of the Working Group on enforced or involuntary disappearance of the Commission on Human Rights for their work, which had culminated in the Declaration now before the Third Committee. That document reflected a general desire to prevent disappearances and to ensure that their perpetrators did not go unpunished. The discussions of the text had been difficult because of the complex situation in certain countries which were carrying out a difficult process of national reconciliation after having experienced, at one time or another in their history, the practice of disappearances. However, a consensus had been reached on the right of families to know and the right of victims to redress.

82. His delegation hoped that the General Assembly would be able to adopt the draft resolution by consensus.

AGENDA ITEM 93: SOCIAL DEVELOPMENT (continued)

(a) QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY (continued) (A/C.3/47/L.51)

Draft resolution A/C.3/47/L.51

83. Mr. MAQUIEIRA (Chile) introduced draft resolution A/C.3/47/L.51, entitled "The convening of a world summit for social development". He noted that

(Mr. Maquieira, Chile)

Cameroon should have been included in the list of sponsors of the draft resolution, and that those sponsors had been joined by Angola, Benin, Cyprus, the Democratic People's Republic of Korea, Ethiopia, Fiji, India, Malta, Sudan, Vanuatu and Zambia.

84. He recalled that in May 1992 the Economic and Social Council had requested, in its decision 1991/230, that in-depth consultations should be held on the holding of a world summit for social development. Those consultations had had positive results, and it was the purpose of draft resolution A/C.3/47/L.51 to decide that such a world summit should be convened at the level of heads of State or Government and to establish a preparatory committee open to all Member States. In adopting the draft resolution, the General Assembly would demonstrate the importance it attached to the question of social development, which should be dealt with at the highest political level.

85. He expressed the hope that the draft resolution would be adopted without a vote.

The meeting rose at 5.35 p.m.